IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE TENTH DAY OF NOVEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE DR JUSTICE G.YETHIRAJULU

WRIT PETITION NO: 20730 of 2004

Between:

1 A.Naga Raju, s/o Jogi Naidu,
r/o H.No.10-4-139/23, Seetha ram Nagar, Nizamabad,

Nizamabad District.
2 T.Markandeya, s/o T.Laxminarayana,
r/o H.No.10-14-1660, Seetharam Nagar, Nizamabad,

Nizamabad District.

..... PETITIONERS

AND

1 The Chairman and Managing Director Northern Power

Distribution Company Ltd., Khairatabad, Hyderabad.
2 Chief General Manager, HRD, Northern Power distribution Co. Ltd.,
Warangal.
3 Superintending Engineer, NPDCL, Operation Circle, Nizamabad.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a writ order or direction especially one in the nature of mandamus directing the respondents to look into the genuineness of petitioners service certificates and consider the petitioners cases for the appointment for the interview conducted on 30-11-2002 pursuant to BPMS No.36 dated 18-5-1997 by declaring the action of the respondents in rejecting the petitioner's cases saying that the results of the interviews held on 30-11-2002 or Nil in paper notification dated 12-3-2003 as improper, illegal, and arbitrary and consequently direct the respondents to consider the petitioners cases for the appointments for the post of LDC/Typist or any other equallent post.

Counsel for the Petitioner: SMT.A.PANKAJA

Counsel for the Respondent No.: MR.NUTY RAM MOHAN RAO

The Court at the stage of admission made the following:

HONOURABLE Dr. JUSTICE G.YETHIRAJULU

WRIT PETITION NO.20730 OF 2004

ORDER:

The petitioners contend that they worked as Contract Labour under the respondents-company. The respondents issued a notification on 15-11-2002 inviting applications from the eligible candidates for the recruitment of LDC/Typists. The petitioners submitted their applications. After scrutinizing the applications, they were called for interviews by exhibiting a list of candidates, who are selected for interview. The petitioners contended that the interview was held on 30-11-2002. Subsequently, the respondents announced that none of the candidates attended the interview were successful. Therefore, the results are nil.

2 . The petitioners contend that in the event of non-selection of the candidates, the respondents-company is expected to communicate to all those candidates by mentioning the reasons of non-selection. Similar question arose before this Court in W.P.No.5158 of 2003 and batch, wherein a learned Single Judge of this Court rendered a judgment on 28-10-2004 declaring that the nil result exhibited by the respondents was set aside. The respondents were directed to consider the cases of the petitioners in the light of the observations made in the judgment for their absorption pursuant to the orders in B.P.Ms.No.36 dated 18.05.1997. It was further directed that if any of the petitioners are not found eligible or qualified, communicate the reasons to them individually.

3. In the light of the above judgment and in the light of the circumstances mentioned by the petitioner, the order of the respondents dated 12.03.2003

announcing the result as 'nil' without communicating the reasons for non-selection to the individual candidates is set aside. The respondents are directed to consider the cases of the petitioners for appointment to the posts of LDC/Typists and in the event of the respondents coming to a conclusion that the petitioners are not eligible for appointment, communicate letters to the petitioners by assigning the reasons of non-selection within eight weeks from the date of receipt of a copy of this order. The order in W.P.No.5158 of 2003, dated 28-10-2004 shall be made part of this order.

4. The Writ Petition is accordingly disposed of. No order as to costs.

Dr. G.YETHIRAJULU, J

10th November, 2004

Note:

Furnish C.C. within five days.

B/o.

SKM

TO

1 The Chairman and Managing Director Northern Power

Distribution Company Ltd., Khairatabad, Hyderabad.

2 Chief General Manager, HRD, Northern Power distribution Co. Ltd., Warangal.

3 Superintending Engineer, NPDCL, Operation Circle, Nizamabad.

4 Two C.D. Copies.